

**U.S. DEPARTMENT OF COMMERCE
PRESIDENT’S ADVISORY COUNCIL ON DOING BUSINESS IN AFRICA
MEMBERSHIP BALANCE PLAN**

Section 5(b)(2) of the FACA requires “...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee.” The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that (1) the purpose of the membership balance plan is to ensure “that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;” and (2) “[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed.” (41 CFR § 102-3.60(b)(3)).

1. **Name.** President’s Advisory Council on Doing Business in Africa.
2. **Authority.** The President's Advisory Council on Doing Business in Africa (Advisory Council) is renewed pursuant to Executive Order No. 13675 dated August 5, 2014, continued by Executive Order 13708 of September 30, 2015 until September 30, 2017 and amended by Executive Order 13734 of August 3, 2016, to authorize the appointment of up to 26 private sector members to the Advisory Council in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App., as amended.
3. **Mission/Function.** Through the Secretary of Commerce (the "Secretary"), the Advisory Council shall advise the President on strengthening commercial engagement between the United States and Africa, with a focus on advancing the President’s Doing Business in Africa Campaign as described in the U.S. Strategy Toward Sub-Saharan Africa of June 14, 2012.
4. **Points of View.** Executive Order 13675 of August 3, 2016, provides that Advisory Council membership shall consist of not more than 26 private sector corporate members representing U.S. companies, including small businesses and representatives from infrastructure, agriculture, consumer goods, banking, services, and other industries.

The Advisory Council shall be broadly representative of the key industries with business interests in the work of the Advisory Council. Appointments to the Advisory Council shall be made without regard to political affiliation.

5. **Balance Factors.** Considerations when making appointments will include points of view; geographic diversity; diversity in size of company to be represented; demographics; and industry sector, including representation of infrastructure, agriculture, consumer goods, banking, services, and other industries.

6. Candidate Identification Process.

(a) Describe the Process Used: Candidate identification will come from various sources, including through publication of a Federal Register notice soliciting nominations; recommendations from Trade Promotion Coordinating Committee (TPCC) agencies and Department of Commerce industry contacts; and outreach to relevant trade associations, as well as recommendations from current and former Federal advisory committee members, and industry and government sources. Searches for candidates will continue until all vacancies are filled.

(b) Identify Agency Staff: The Secretary will make final determinations, with input from the Under Secretary of Commerce for International Trade, the Assistant Secretary for Industry and Analysis, the Deputy Assistant Secretary for Europe, the Middle East, and Africa, the TPCC Secretariat, the Office of Advisory Committees and Industry Outreach, the Office of Business Liaison and the Policy Office of the Secretary.

(c) Advisory Council Vacancies: Should vacancies occur, the Secretary will initiate the candidate identification process specified above to solicit candidates to fill the vacancy unless the term of the appointment would expire prior to being able to fill the vacancy.

(d) Membership Term Limit: Advisory Council members serve from appointment for the duration of the charter term of the Council. Members may be reappointed to any number of additional terms, provided that the member proves to work effectively on the Advisory Council and his/her knowledge and advice are still needed.

- 7. Subcommittee Balance.** The Executive Director may establish an executive committee and other subcommittees as he considers necessary for the performance of the Council's functions, subject to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Members of the subcommittees shall be appointed by the Executive Secretary, in consultation with the Executive Director and the Advisory Council Chair. The Chair of each subcommittee shall be designated, with the concurrence of the Executive Secretary, by the Advisory Council Chair from among the members of the Advisory Council subcommittee. One or more Vice Chairs of each subcommittee may be designated by the Advisory Council Chair with the concurrence of the Chair of the subcommittee. Subcommittees must report back to the parent committee and do not provide advice or work products directly to the Secretary or the President. The process for determining membership balance of subcommittees is the same as the process for the Advisory Council.

- 8. Other.** Appointments shall be made without discrimination on the basis of age, ethnicity, gender, sexual orientation, disability, or cultural, religious, or socioeconomic status.

Date Prepared. The Membership Balance Plan was prepared on May 23, 2016.